

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY, JULY 20, 2017

Presiding: Mayor David D. Ogden
Meeting Convened at 6:30 p.m.
Prayer: Matt Garner
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce Arnell, Matt Garner, and Joe Cherrington; City Public Works Director Zane Baler; Chairman Brent Barrus of the Planning and Zoning Commission; Commissioner Dave Thompson of the Planning and Zoning Commission; Senator Brent Hill; Attorney Michael W. Brown representing Jeff and Ryan Lerwill; Ben Mattson representing the youth baseball league; Citizens Joy Ball, Mary Louise Barney, Adam Barrus, Ann Barrus, David Barrus, Jan Barrus, Paul Barrus, JoAnn Clark, Bo Crofoot, Charity Dummar, Kenzy Fogle, Kevin Galbraith, Kelsey G.....el, Kade Herrera, Kimber & Shelley Jones, Elise Klingler, Seth Klingler, Barbara Lusk, Nakia Mattson, Bert McLaughlin, Jared Peterson, Tasha Peterson, Trey Peterson, Glade Pinnock, Randall Porter, Kristina Rawlinson, Gene & Elaine Speakman, Scott & Denise Stears, Aimee Strong, and Vaun Waddell. Councilman King was excused.

MOTION TO AMEND THE AGENDA: The council made a motion to amend the agenda to include a statement by Councilmen Arnell and Garner.

MOTION: It was moved by Councilman Cherrington and seconded by Councilman Garner to amend the agenda to include a statement by Councilmen Arnell and Garner; motion carried.

COUNCILMAN ARNELL RESIGNATION: Councilman Arnell prepared and read a statement to the council and citizens for his immediate resignation (see Attachment #1). He spoke of a “no win” decision that has divided the city, caused him health problems, and bad feelings among his friends and associates. In his three years as councilman he has tried to do two things:

- Improve the tax base to help replace an aging utility infrastructure, and
- Shed light on Sugar-Salem Schools having the lowest dollar value per student in the state

Mayor Dave Ogden accepted Councilman Arnell’s resignation and appointed Chairman Brent Barrus of Planning and Zoning to replace Bruce Arnell on the council.

MOTION: It was moved by Councilman Cherrington and seconded by Councilman Garner to confirm Mayor Ogden’s appointment of Brent Barrus to fill the remainder of Bruce Arnell’s council term, which ends December 31, 2019; motion carried. Councilman Brent Barrus was sworn in.

COUNCILMAN GARNER RESIGNATION: Councilman Garner thanked all for the privilege he had to serve. He was sorry for the seemingly lack of confidence citizens placed in him and the rest of the council. The decision to resign was difficult but he felt it was best. He encouraged others to be informed (see Attachment #2). Mayor Dave Ogden accepted Councilman Garner’s resignation and appointed Greg Venema to replace Matt Garner on the council.

MOTION: It was moved by Councilman Barrus and seconded by Councilman

Cherrington to confirm Mayor Ogden's appointment of Greg Venema to fill the remainder of Matt Garner's council term, which ends December 31, 2017; motion carried. Councilman Greg Venema was sworn in. Councilman Barrus thanked Matt Garner and Bruce Arnell for their dedicated service to the city. He added that he felt the council could solve the problem dividing the city. Both newly appointed councilmen will serve until the next general election (November 7, 2017), at which time the vacancy shall be filled for the balance of the original term.

MINUTES: Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on July 13, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Cherrington and seconded by Councilman Venema to accept the minutes; motion carried.

YOUTH BASEBALL: Ben Mattson president of Sugar City baseball board asked the council for permission to laser level the south playing field in Smith Park. Replacement sod could come from Heritage Park if a girls' softball playing field was put in. The St. Anthony work camp would provide the labor to move the sod and the baseball association would cover the cost to have the field leveled. Councilman Cherrington recommended that red cinder be brought in to replace the sod in Smith Park. Mayor Ogden also recommended that Mr. Mattson work with Zane and Arlynn on cost. The proposed changes will not affect soccer use or practices. The city may need to purchase more sod but the cost would be minimal.

PLANNING AND ZONING COMMISSION REPORT: No report.

DISCUSSION AND POSSIBLE DECISION TO RECONSIDER THE ADOPTION OF OLD FARM ESTATES ZONE CHANGES, MAP AMENDMENT, AND PRELIMINARY PLAT: The mayor postponed the discussion until 1 August, 2017, to give the new councilmen time to review the public hearing documents on Old Farm Estates Division #3.

MOTION: It was moved by Councilman Barrus and seconded by Councilman Cherrington to hold a special meeting to discuss the Motion to Reconsider Tuesday, August 1, 2017, at 7:30 p.m.; motion carried.

RESOLUTION TO ADOPT THE FINAL PLAT FOR DIVISION #2: The mayor reported that all conditions for the Old Farm Estates Division #2 Final Plat had been met and that the plat had been recorded and executed. The motion to adopt the final plat subject to certain conditions was made on Thursday, 25 May, 2017. A resolution was unnecessary.

MOTION TO ADOPT THE PROPOSED DRINKING WATER SYSTEM

IMPROVEMENTS: A public hearing was held on the environmental impacts of the proposed new water system. There were no environmental findings.

MOTION: It was moved by Councilman Cherrington and seconded by Councilman Venema to adopt the study by Forsgren Associates; motion carried.

MOTION TO SET A PUBLIC HEARING DATE TO ADOPT THE WATER RATE

STUDY: Forsgren and Associates completed the water study and recommended that the city use equivalent residential units (ERUs) to calculate the water base fees. It is more equitable and is used extensively. The city currently uses pipe size to determine the base rate fee schedule.

MOTION: It was moved by Councilman Barrus and seconded by Councilman Venema to set the public hearing date to Thursday, 24 August, 2017, at 6:30 p.m. and to adopt the ERU base rate schedule; motion carried.

MOTION TO SET A PUBLIC HEARING DATE TO INCREASE THE SEWER USER RATE: Rexburg is raising their sewer rates to the city \$0.15 in order to keep up with the rising costs of sewer treatment. The city has proposed a usage rate increase of \$0.15 from \$3.00/thousand gallons to \$3.15/thousand gallons of sewer usage per month. The base rate of \$17.12 will remain the same.

MOTION: It was moved by Councilman Venema and seconded by Councilman Cherrington to set the public hearing date to Thursday, 24 August, 2017, at 6:30 p.m. and to raise the sewer usage rate \$0.15; motion carried.

MOTION TO SET A PUBLIC HEARING DATE TO ADOPT A NEW FEE STRUCTURE FOR ALL ANIMALS: The council has proposed to adopt a fee structure for all animals including dogs as outlined in the city code. For example, dog tags will go from \$12 a year to \$15 a year.

MOTION: It was moved by Councilman Cherrington and seconded by Councilman Barrus to set the public hearing date to Thursday, 24 August, 2017, at 6:30 p.m. and to adopt the new animal fee structure; motion carried.

MOTION TO SET A PUBLIC HEARING DATE TO ADOPT THE TENTATIVE BUDGET: The council has held a budget work meeting to discuss the city's financial plans for the coming year. A proposed tentative budget needs to be set for public hearing and for adoption. The council will review the budget Tuesday, 1 August, 2017 (The date has since been revised to Thursday, 10 August, 2017, for a council quorum)

MOTION: It was moved by Councilman Barrus and seconded by Councilman Venema to set the public hearing date to Thursday, 24 August, 2017, at 6:30 p.m. and to adopt the proposed 2018 year budget; motion carried.

MAYOR'S REPORTS: Mayor discussed the following items:

River Bend Ranch: The mayor reported a meeting with River Bend Ranch representatives. They are ready to move forward with the development. Their part of the cost sharing agreements for sewer and water infrastructure were agreeable.

Rural Planning Organization (RPO) Report: The Idaho Transportation Department has grant funds available to help correct the deficiencies on Idaho Highway 33 into Sugar City.

Eclipse Report: About 30 RV campsites have been reserved so far in both the Business Park and Lerwill's property south of 3rd South.

Flood Plain Report: The mayor reported a good dialogue with FEMA. They are willing to reduce the size of the flood plain and allow the North Fork River bank level to be mapped using the Global Positioning System or GPS, which is more accurate than the current map documentation FEMA has of the river – the largest choke point for flooding. FEMA will also allow two zones – one which requires flood insurance and another which does not require flood insurance.

DEPARTMENT REPORTS:

COUNCILMAN BARRUS: No report

COUNCILMAN KING: Excused.

COUNCILMAN VENEMA: No report.

COUNCILMAN CHERRINGTON:

Community Breakfast is scheduled for Saturday, July 22, 2017, from 7 to 10 a.m.
Meeting adjourned at 7:30 p.m.

Signed: _____
David D. Ogden, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer

City Resignation Letter

The City Council has been put into a no win position. If we vote to confirm our original vote approving the Preliminary Plat for Old Farm Estates and the zone changes we will be accused of not listening to the will of the people. However, if we vote to recind our original approval it could put the city in a position where it may be sued by the developers to recover their costs. It is a no win position for the City Council.

I also find myself in opposition to many individuals who I have always considered friends. This is a uncomfortable position which has caused me much heartache and has affected my health. I have been put me into a position where in consideration for my wife and family to resign from the City Council effective immediately because of health, friendships and church responsibilities.

I have tried to do two things in my three years on the Council. Our water, sewage and road infrastructure is in need of improvements now and repair in the future. Increasing the tax base through commercial development reduces the overall cost to our citizens. Without commercial growth the full cost falls totally upon our citizens. I have been especially concerned for those on fixed incomes. The City currently does not have enough money in reserve to complete infrastructure projects of which you as citizens come to expect without passing bonds.

The second focus has been to bring to light the financial situation of our school district. Out of 115 school district in the State our school district is 115 in the lowest dollar value per student in money available. Yes. We can say our School District is doing a great job but how much better could they do with additional funds.

Whoever replaces me I would hope that you treat that individual with respect because this is not an easy job and I can assure you, we do not do it for money but for the love of the City. I have lived in Sugar City 46 years, longer than most of you here and have seen many changes. I encourage you to not make our city restrictive where only a few can afford to live but as our church leaders have said, "Invite people to live in your cities and welcome them".

I am resigning immediately my position on the City Council. In some other Countries they have a saying about a “ No Confidence Vote.” That is how I feel about things going forward; the citizens have said they have no confidence in me as a council member. I would like to thank those I have had a chance to work with. The Staff have been great I think they are the very best, and have made it pleasant to work with each of them Wendy, Zane, Arlen and Shelley. Thanks also to the Mayor, and all of the Council members I have served with Bruce Arnell, Joe Cherrington, Bruce King, Bruce Bills and Burch Drake. We have made a lot of decisions since being on the council some easy, some hard. I hope in the future that as we move forward as a city that we will try to understand all the facts and make good decision moving forward.

Thank You respectfully submitted

Matt Garner